

Exhibit “E” to Amended Verified Petition



MINING PERMIT APPLICATION AND RECLAMATION REPORT

SECTION A 1. N.Y.S. MINE FILE NO. <u>30 23-32-0195</u>	2. NAME OF APPLICANT OR PERMITTEE <u>MEHLON TRUCKING INC.</u>	3. TELEPHONE NO. (Include Area Code) <u>(914) 895-2700</u>	5. COMMON NAME OF MINE <u>KINGS HILL ROAD SHALE MINE</u>
4. MAILING ADDRESS <u>P.O. Box 519 Walkkill, N.Y. 12589</u> County <u>Orange</u> Town <u>Montgomery</u>	6. LOCATION OF MINE U.S.G.S. DESIGNATION (a) <u>Walden, N.Y.</u> (b) <u>7.5</u> Minutes (c) <u>8 8/16</u> Inches Top (d) <u>10/16</u> Inches Right	7. TYPE OF SUBMITTAL <input checked="" type="checkbox"/> Original Application <input type="checkbox"/> Renewal Application <input type="checkbox"/> Amendment Application <input type="checkbox"/> Amendment Application <input type="checkbox"/> Transfer Application <input type="checkbox"/> Reclamation Report	
8. PERMIT TERM: Previous Term <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Triennial Coming Term <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Triennial			
9. STATUS OF OTHER N.Y.S. MINE FILE NUMBERS, LIST FILE NUMBERS UNDER APPROPRIATE HEADING. Inactive <u>3 023-32-0195</u> Suspended _____ Revoked _____ Reclamation Bond Forfeited _____			
10. Has any owner, partner, corporate officer or corporate director of your organization ever held any of these positions in another organization which has had a New York State mining permit SUSPENDED OR REVOKED or has had a New York State mined land reclamation bond FORFEITED? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If "Yes", identify the person(s) _____			
11. COMMON OR COMMERCIAL NAME OF THE MINERAL TO BE MINED 12. TYPE OF GEOLOGIC DEPOSIT 13. TYPE OF MINE 14. ESTIMATED LIFE OF MINE: <div style="display: flex; justify-content: space-between;"> <div> Shale A. ESTIMATED NO. OF ACRES TO BE AFFECTED BY MINING DURING THE: <u>Phase 1</u> <u>10.2</u> Acres B. <u>All Phases</u> <u>18.1</u> Acres </div> <div> Shale <input checked="" type="checkbox"/> Surface Consolidated <input type="checkbox"/> Surface Unconsolidated <input type="checkbox"/> Underground </div> <div> 15. HAS THE PROPOSED RECLAMATION PLAN BEEN DEVELOPED IN COOPERATION WITH ANY OF THE FOLLOWING: <input type="checkbox"/> Department of Environmental Conservation <input type="checkbox"/> County Soil & Water Conservation District <input checked="" type="checkbox"/> Consultant (Identify) <u>Wehran Engineering</u> </div> <div> 16. ESTIMATED LIFE OF MINE: <input checked="" type="checkbox"/> Surface Consolidated <input type="checkbox"/> Surface Unconsolidated <input type="checkbox"/> Underground <u>15</u> Years </div> </div>			
17. NAME AND MAILING ADDRESS OF THE MINERAL OWNER 18. NAME AND MAILING ADDRESS OF THE SURFACE LANDOWNER <div style="display: flex; justify-content: space-between;"> <div> Leon and Dixie Mehl RD 1 Walden, N.Y. 12586 </div> <div> Leon and Dixie Mehl RD 1 Walden, N.Y. 12586 </div> </div>			
19. As the surface landowner of the property which is to be mined, I have been advised by the applicant of the contents of the reclamation plan. SIGNATURE OF LANDOWNER _____ DATE _____			
20. What is the present zoning classification of the property to be mined? <u>RA-1 (Residential Agriculture 1&2 family)</u> 21. Does the proposed land-use objective conform to officially adopted COUNTY and/or TOWN planning? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "No", explain in block 25. 22. Does local government have any reclamation standards which apply to this mine? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If "Yes", explain in block 25. 23. Is the applicant required to have a local mining permit? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If "Yes", enter the Permit Identification No. <u>pending</u> 24. Is the applicant required to have a local mining reclamation bond? <input type="checkbox"/> No <input type="checkbox"/> Yes If "Yes", what is the (a) amount of the bond \$ <u>pending</u> (b) name and address of the surety _____			
25. COMMENTS RELATIVE TO QUESTIONS IN SECTION D <u>Town of Montgomery requirements are pending review of NYSDEC permit application</u>			
26. NAME AND MAILING ADDRESS OF LOCAL GOVERNMENT: <u>Town of Montgomery Town Hall</u> <u>74 Main Street, Walden, N.Y. 12586</u>			
27. As the Chief Administrative Officer of the municipality having immediate jurisdiction over the proposed mining shall you hereby give your approval of the contents of the reclamation plan. SIGNATURE OF CHIEF ADMINISTRATIVE OFFICER _____ NAME, TITLE AND SIGNATURE OF CHIEF ADMINISTRATIVE OFFICER _____			
28. NO. OF ACRES (A) Affected <u>N/A</u> AND (B) Reclaimed <u>N/A</u> DURING THIS REPORT PERIOD 29. ESTIMATED NO. OF ACRES TO BE AFFECTED DURING THE COMING YEAR <u>N/A</u> Acres			
30. DESCRIBE RECLAMATION PERFORMED DURING THE REPORT PERIOD: <u>N/A</u>			
31. DESCRIBE ANY PROPOSED CHANGE IN THE RECLAMATION SCHEDULE: <u>N/A</u>			
32. DO YOU REQUEST A REDUCTION IN THE AMOUNT OF THE RECLAMATION BOND? <input type="checkbox"/> No <input type="checkbox"/> Yes If "Yes", explain: <u>N/A</u>			

The Mined Land-Use Plan submitted with this application constitutes the applicant's proposal for mining and reclaiming the affected land described herein. Approval of the plan by the Department of Environmental Conservation is for the term of the permit. The applicant is responsible for submitting all plans, maps, forms, fees, bonds and reports as required by the Department. The permit is valid only for mining on land described in the plan and mining on unpermitted land is unlawful. Failure to adhere to the approved plan is cause for non-renewal, suspension or revocation of the permit. As a condition of the issuance of the permit, the applicant agrees to perform all work in accordance with the approved plan and any amendment thereto.

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.